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ROBERT H. SHENWELL, CLERK
WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO.: 2:98CR20058-03

VERSUS

JUDGE MINALDI

BENJAMIN BLOUNT

MAG. JUDGE WILSON

CERTIFICATE OF APPEALABILITY

A final order having been filed in the above-captioned habeas case, the court, considering the record in this case and the requirements of 28 U.S.C. § 2253, hereby finds that:

The certificate of appealability is DENIED because the applicant has failed to demonstrate a substantial showing of the denial of a constitutional right.

The certificate of appealability is GRANTED for the below reasons:

The applicant has made a substantial showing that the following issues constitute a denial of a constitutional right:

Signed at Lake Charles, Louisiana, this 6 day of February, 2006


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE